

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**SPECIALTY MEDICAL PRODUCTS, INC.,** )

**Plaintiff,** )

**v.** )

**Civil No. 3:14-cv-1152**

**Judge Aleta A. Trauger**

**BILLY D. HALL, JR., GREG WHITFORD,** )

**and ALPHA MEDSOURCE, LLC,** )

**Defendants.** )

**ORDER**


The defendant's Motion for Summary Judgment (Docket No. 58) is **GRANTED IN PART AND DENIED IN PART**, as set forth in the accompanying Memorandum. This action will proceed to trial on (1) the plaintiff's breach of contract claim concerning defendants Hall and Whitford's non-disclosure and confidentiality restrictive covenants, and (2) the plaintiff's claim that Hall and Whitford breached their fiduciary duty by soliciting Fisher & Paykel. All other claims are dismissed.

The defendants' Motion to Exclude All Proof of Damages Under Federal Rule of Civil Procedure 37 (Docket No. 61) is **DENIED**. However, the defendants may re-depose Hilary Sherman for one day within the next thirty days.

The defendants' Motion to Exclude Undisclosed Documents and Strike Paragraphs Four Through Eight of the Declaration of Anthony Lair (Docket No. 69) is **DENIED AS MOOT**.

It is so **ORDERED**.

Enter this 3rd day of August 2015.

  
Aleta A. TRAUGER  
United States District Judge